

**ORIGINAL**

NUMBER: SW2019-0002

# AFFIDAVIT AND PETITION FOR ORDER TO OBTAIN EVIDENCE OF PHYSICAL CHARACTERISTICS

- a. **THAT HE/SHE is a duly appointed, qualified and acting Deputy Sheriff for the County of Cochise, State of Arizona.**
- b. **THAT HE/SHE has read the sequential pleadings and is familiar with the contents thereof.**
- c. **THAT HE/SHE knows the contents of the sequential pleadings thereof to be true of his/her own knowledge, except those matters set forth on information and belief, and as to those, he/she believes the same to be true.**
- d. **THAT HE/SHE has reason to believe, and does believe, that the crime of, a felony punishable by at least one year in the state prison has been committed.**
- e. **THAT THIS crime was committed:**  
**( X ) on the person of:**  
**( ) on the premises or location described as:**
- f. **THAT THE procurement of evidence of identifying physical characteristics from the above named individual may contribute to the identification of the individual who committed such offense(s).**

JAN - 1 2019

Evidence of physical characteristics for which court Order is requested for procurement is (are):

- |  |  |
|--|--|
| <input type="checkbox"/> fingerprints                | <input type="checkbox"/> palm prints               |
| <input type="checkbox"/> blood samples               | <input checked="" type="checkbox"/> saliva samples |
| <input type="checkbox"/> hair samples                | <input type="checkbox"/> handwriting               |
| <input type="checkbox"/> sound of voice              | <input type="checkbox"/> comparative personal      |
| <input type="checkbox"/> appearance (line-up)        | <input type="checkbox"/> hand printing             |
| <input type="checkbox"/> sound of voice              | <input type="checkbox"/> measurements              |
| <input type="checkbox"/> foot prints                 | <input type="checkbox"/> photographs               |
| <input type="checkbox"/> other (as indicated): _____ |  |

- g. THAT THE procurement of requested evidence of physical characteristics, described above, cannot be obtained by the Affiant from the Cochise County Sheriff's Department or the Criminal Investigations/Identification Division of the Arizona Department of Public Safety.

**FURTHERMORE, YOUR AFFIANT, avows that facts tending to establish grounds for issuance of a Court Order for the temporary detention of the above named individual in order to collect requested evidence of physical characteristics are as follows:**

- a. Statement of facts showing commission of a felony:

On 01-04-19, at approximately 1600 hrs, \_\_\_\_\_ and \_\_\_\_\_ who are inmates at the Cochise County Jail in Bisbee, AZ reported \_\_\_\_\_ was sexually assaulted by Chaplin Doug Packer.

Detective Davidson and I responded to the Bisbee Jail to investigate these claims. We were briefed about this incident and told Chaplin Packer apparently forced \_\_\_\_\_ to give him oral sex with \_\_\_\_\_ was forced to watch.

We spoke to \_\_\_\_\_ first who told us she is cellmates with \_\_\_\_\_. About two (2) weeks ago \_\_\_\_\_ told her that Chaplin Packer tried to kiss her. \_\_\_\_\_ said she has heard several stories about the Chaplin having female inmates perform sexual acts on him for food. She always thought these stories were made up and she didn't believe \_\_\_\_\_ story. \_\_\_\_\_ said today the Chaplin pulled \_\_\_\_\_ out of the pod around 1300 hrs, and she was gone for a while. \_\_\_\_\_ was then pulled out of the pod and taken to the Chaplin's office. The Chaplin wanted to know what \_\_\_\_\_ knew. She told him she knew everything. The Chaplin then wanted \_\_\_\_\_ and her to kiss but they refused. She said the Chaplin then forced \_\_\_\_\_ to her knees and made her give him a "blow job". She said he pulled his pants down to his knees. He was wearing blue boxer brief underwear. She saw his penis which was erect. She said his pubic hair was trimmed.

She said when the Chaplin ejaculated it got on [redacted]'s shirt and the floor. The Chaplin told her to clean the semen on the floor in which she did with a tissue. She then started to clean [redacted] who had semen on her shirt and arm. She kept the tissue she cleaned [redacted]'s arm with for evidence. After this, the Chaplin took them back to their pod.

We collected the tissue from [redacted]

We spoke to [redacted] next. [redacted] confirmed she is cellmates with [redacted]. She told us, every time she has seen the Chaplin, he has become more touchy with her. HE started by scooting his chair closer to her then he started touching her leg. About three (3) weeks ago he gave her a hug and kissed her on the mouth. She described it as a peck. She told [redacted] about what the Chaplin did, but [redacted] didn't believe her. She said two (2) days ago he called her into his office and she sat in the chair. He straddled her and held her arms down. He then tried to kiss her, and she pulled her head away. He then took his right hand and put it under her shirt to feel her left breast. She pushed his hand away and he then put his hand down her pants. He started to rub her vagina but didn't penetrate it. She said he stopped when one of the doors in the hall opened. It should be noted when a hall door opens it makes a loud popping noise. After he got off of her, he acted as nothing had happened. He talked to her for a little while and then took her back to the pod.

[redacted] said today at about 1335 hrs, she was pulled out of the pod by the Chaplin. She said he pulls her out without her requesting to see him. She described he did the same thing to her that he did two (2) days ago. She said the breast touching to rubbing her vagina was all the same. He asked her what she told [redacted] and she said everything. He called for [redacted] to be brought into his office. When she arrived he asked [redacted] what she knew. She told him everything. He wanted them to kiss but they refused. [redacted] said he then forced her on her knees and he had his penis out. She described it as being soft. He told her to suck his "dick". She said he forced her head towards his penis and in her mouth. She said when he ejaculated it was on her lips, shirt and right arm. She said she kind of blacked out when this happened and only remembers [redacted] cleaning her. After this, the Chaplin started to clean his penis with a tissue. She said he put the tissue in his trash can in his office. The Chaplin then took them back to their pod.

It should be noted the area on [redacted]'s shirt where she said the semen was had stain which could possibly be from semen. We collected [redacted] clothing.

We went into the Chaplin's Office and saw several tissues on top of the trash can. These tissues were collected for evidence.

Your affiant is requesting this order so DNA from Chaplin Packer can be compared to the DNA for the evidence collected.

- b. Facts showing why physical evidence of the above named individual is needed:

Stains on the victim's jail uniform along with tissues found in the trash can will be tested for DNA and compared to Doug Packer

**YOUR AFFIANT RESPECTFULLY** petitions for a written order from this Court for the temporary detention of the above name individual for the purpose of obtaining requested evidence of physical characteristics.,

  
(Signature of Affiant)

**SWORN TO BEFORE ME**, and subscribed in my presence, this 04th day of January, 2019.

  
(Signature – Justice of the Peace)